



Myers & Galiardo, LLP | 52 Duane Street, 7Fl., New York, NY 10007 | 212-986-5900 | www.citylaw.nyc

BY ECF

December 6, 2021

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: United States v. Oladokun (Muhammed Bashorun)
20 CR 00003 (KPF)


Your Honor:

Tomorrow, December 7, 2021 at 3:30 p.m., this matter is on for a status update concerning the discovery and related issues. Unfortunately, an unforeseen glitch occurred during the transfer of the discovery to the defense whereby the vendor for the US Attorney's Office inadvertently placed only the password instructions for opening the hard drive in an envelope addressed to the defense but failed to include the actual drive which had been previously provided by the defense for copying. As such, the defense has not been able to review the discovery after only obtaining that instructional letter on December 2, 2021.

The defense has dropped off another hard drive and will likely pick that drive up by hand at the US Attorney's Office this week to expedite matters. In essence, it may not be fruitful for the parties to take the valuable time from the Court's schedule to explain all of the above, but instead adjourn until late January 2022 at the Court's convenience once the defense has had a chance to review the materials.

The prosecutor and defense apologize to the Court for causing any inconvenience due to this administrative error in getting the discovery to the defense for review. This is our first request for any adjournment.

Lastly, the Defense consents to the exclusion of time under the speedy trial statute. The Government has no objection to this matter being adjourned until late January 2022 if the Court is so inclined.

Respectfully,

Matthew D. Myers
Attorney

The initial pretrial conference in this matter is hereby ADJOURNED to **January 19, 2022, at 11:30 a.m.**

Additionally, it is ORDERED that time is excluded under the Speedy Trial Act between **December 7, 2021**, and **January 19, 2022**. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and Defendant Muhammed Bashorun in a speedy trial because it will permit defense counsel to continue to review discovery.

The Clerk of Court is directed to terminate the motion at docket entry 295.

Dated: December 6, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE